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PTO/SB/05 (03-01)

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 16294-0137 (52433-292707)

Inventors JOHN D. PUSKAS

Title METHODS OF INDIRECTLY STIMULATING THE VAGUS NERVE WITH AN ELECTRICAL FIELD

Express Mail Label No. EV 334684259 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS

TO:

Commissioner for Patents
Mailstop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 54]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C.113) [Total Sheets 5]
5. Oath or Declaration [Total Pages 1]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment:
 - a. ☐ Assignment Papers (cover sheet & document(s))
 - b. ☒ Assignment is of record in parent application No. 10/051,758
10. ☐ 37 C.F.R. §3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

Prior application information: Examiner Dreesch, K.

of prior application No: 10/051,758 filed January 16, 2002

Group / Art Unit: 3762

Recite complete dependency back to first parent application: This application is a divisional of U.S. Patent Application Serial No. 10/051,758, filed January 16, 2002, which is a divisional of U.S. Patent Application Serial No. 09/716,783, filed November 20, 2000, now U.S. Patent No. 6,429,217 which is a divisional of U.S. Patent Application Serial No. 09/139,442, filed August 25, 1998, now U.S. Patent No. 6,479,523, which claims priority to U.S. Provisional Application Serial No. 60/072,284, filed January 23, 1998 and U.S. Provisional Application No. 60/056,994, filed August 26, 1997.

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number

23370

Name (Print/Type)	Sima Singadia Kulkarni	Registration No. (Attorney/Agent)	43,732
Signature	<i>Sima Singadia Kulkarni</i>	Date	September 26, 2003

FEE TRANSMITTAL

Attorney Docket No. 16294-0137 (52433-292707)

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): **JOHN D. PUSKAS**Filing Date: **September 26, 2003**Title: **METHODS OF INDIRECTLY STIMULATING
THE VAGUS NERVE WITH AN ELECTRICAL FIELD**

The filing fee is calculated as shown below:

1. FILING FEE:

		SMALL ENTITY		LARGE ENTITY	
FOR:		FEE	FEE PAID	FEE	FEE PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE		\$375	\$375	\$750	
<input type="checkbox"/> DESIGN FILING FEE		\$165		\$330	
<input type="checkbox"/> PLANT FILING FEE		\$260		\$520	
<input type="checkbox"/> REISSUE FILING FEE		\$375		\$750	
<input type="checkbox"/> PROVISIONAL FILING FEE		\$80		\$160	
SUBTOTAL (1)			\$375		\$

2. CLAIMS:

				SMALL ENTITY		LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE	
TOTAL CLAIMS	99 - 20 =	79	x 9 =	\$711	x 18 =		
INDEP. CLAIMS	6 - 3 =	3	x 42 =	\$126	x 84 =		
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+140 =		+280 =		
SUBTOTAL (2)				\$837		\$	

3. ADDITIONAL FEES:

		SMALL ENTITY		LARGE ENTITY	
FOR:		FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH		\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION		\$130		\$130	
<input type="checkbox"/> OTHER					
SUBTOTAL (3)			\$		\$

TOTAL FILING FEES: \$1212.00A check is enclosed for the total amount: **\$1212.00**☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0855.

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Reg. No. 43,732Date: *September 26, 2003*